

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FINANCIAL FEDERAL CREDIT, INC.,

Plaintiff,

DECISION AND ORDER

10-CV-6491L

v.

CRANE CONSULTANTS, LLC, et al.,

Defendants.

Plaintiff, Financial Federal Credit Inc., had filed a motion for a temporary restraining order and other relief (Dkt. #2). Defendants Ramar Crane Services, LLC, Ramar Steel Sales, Inc. (collectively “Ramar”) cross-moved to dismiss the complaint as to them (Dkt. #8).

On May 4, 2011, the parties entered into, and the Court issued, a Stipulated Order Related to Property (Dkt. #41), which essentially resolved plaintiff’s motion for a temporary restraining order. In addition, on May 24, 2011, Magistrate Judge Marian W. Payson, having met with the attorneys for the parties on that date, issued a Scheduling Order (Dkt. #43) setting forth deadlines for discovery and the filing of dispositive motions. In light of the issuance of those two orders, plaintiff’s motion for a temporary restraining order is denied as moot, and Ramar’s motion to dismiss is denied without prejudice.

CONCLUSION

Plaintiff's motion for a temporary restraining order and other relief (Dkt. #2) is denied as moot. The motion to dismiss filed by the defendants Ramar Crane Services, LLC, Ramar Steel Sales, Inc. (Dkt. #8) is denied without prejudice.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
June 2, 2011.